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Order 2001-4-30

Served: April 30, 2001



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 26th day of April, 2001

Essential Air Service at

PRESQUE ISLE, MAINE

Under 49 U.S.C. 41731 *et seq.*

Docket OST-2000-8012-19

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation is extending CommutAir's service obligation at Presque Isle, Maine, for an additional 30 days, through May 29, 2001.¹

Background

On September 25, 2000, CommutAir, Inc.,² filed a 90-day notice of its intent to suspend all scheduled service at Presque Isle, effective December 26, 2000. By Order 2000-11-17, November 15, 2000, the Department prohibited CommutAir from suspending service beyond the end of its 90-day notice period, through January 25, 2001, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended CommutAir's service obligation for additional 30-day periods, the latest through April 27, 2001, by Order 2001-3-26.

By Order 2001-2-9, issued February 9, 2001, the Department selected Colgan Air, Inc., to provide essential air service at Presque Isle for a two-year period. This service is expected to begin on or about May 15th; thus, in accordance with 49 U.S.C. 41734(c), we will extend CommutAir's service obligation at Presque Isle for an additional 30 days, or until Colgan Air actually begins service, whichever occurs first.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

¹ Since May 27th is a Sunday, and the 28th is Memorial Day, this hold-in period will end on Tuesday, May 29th. (See 14 CFR 302.16)

² At the time of CommutAir's filing, it operated as USAirways Express. As of December 2, 2000, the carrier has operated as Continental Connection.

ACCORDINGLY,

1. We require CommutAir, Inc., d/b/a Continental Connection, to maintain air service at Presque Isle, Maine, for an additional 30-day period through May 29, 2001, or until Colgan Air actually begins service, whichever occurs first;³
2. We direct CommutAir, Inc., to retain all books, records, and other source and summary documentation to support subsidy claims for payment, and to preserve and maintain such documentation in a manner that readily permits its audit and examination by representatives of the Department. Such documentation shall be retained for seven years or until the Department indicates that the records may be destroyed. Copies of flight logs for aircraft sold or disposed of must be retained. The carrier may forfeit its compensation for any claim that is not supported under the terms of this order;
3. Docket OST-2000-8012 will remain open until further order of the Department; and
4. We will serve a copy of this order on the Town Manager of Presque Isle, Maine, the Maine Department of Transportation, and CommutAir, Inc., d/b/a Continental Connection.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, must file such petitions within ten (10) days after the date of service of this order.

This order will be effective immediately, and the filing of a petition for review shall not preclude its effectiveness.

By:

RANDALL D. BENNETT
Director
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at
<http://dms.dot.gov>*

³ In accordance with 49 U.S.C. 41734(c), we will extend CommutAir's service obligation for successive 30-day periods as necessary until replacement service actually begins.